

SC seeks EC's reply on conducting Gujarat assembly polls through VVPAT machine

The Supreme Court on Thursday asked a reluctant Election Commission to try using electronic voting machines (EVMs) with paper trails in the Gujarat assembly elections, due in December.

The top court has asked the poll body to respond within 4 weeks.

"...It appears, you do not want to use EVMs with VVPAT system in Gujarat elections. Just do it, if you can," a bench of Chief Justice JS Kehar and Justice YV Chandrachud said as the EC expressed its reservations on a December roll-out.

Amid a debate over suspected vulnerability of EVMs to tampering, several political parties, including the Congress, have demanded mandatory use of printed paper slips – called the Voter Verifiable Paper Audit Trail (VVPAT) – in all elections. The EC maintains that the EVMs cannot be manipulated.

The SC order came on a petition seeking the top court's intervention for implementing a 2013 judgment where it said that 'paper trail' is an indispensable requirement of free and fair elections.

Though the poll panel has been experimenting with VVPAT, the EC opposed its use for the Gujarat elections, saying the machines have to be tested to see if there was a mismatch between the EVM and paper trail output.

The central government, in its affidavit to the court, has said that in the past EC has used EVMs with VVPAT in 143 assembly and 8 parliamentary constituencies and there was no report of mismatch between EVM-VVPAT output.

If the Supreme Court suggestion is accepted, Gujarat will be the first state to go to polls fully under the new system.

"About 71,000 EVMs with VVPAT will be needed for Gujarat polls and the commission already has over 105,00 machines with it. The court should direct the commission to use the machines in the forthcoming elections," said Kapil Sibal, who is representing the petitioners.

Under the VVPAT system, once a voter presses a button of his choice in the EVM a printed slip containing the name of the candidate and the poll symbol is generated and given to the voter.

The printed receipts are dropped in a ballot box. The process allows the votes registered in the EVM to be tallied with the printed receipts collected.

The central government said it has disbursed Rs 2616 crore to the poll panel to purchase VVPAT units.

The funds will enable the commission to hold the next general elections in 2019 with the EVM-VVPAT system.

In its 2013 order, the court had said: "The confidence of the voters in the EVMs can be achieved only with the introduction of the paper trail. EVMs with VVPAT system ensure the accuracy of the voting system."

Earlier this year, the Aam Aadmi Party used a dummy EVM to purportedly show how the machine could be manipulated.

The poll panel later challenged political parties to a “hackathon” prove their allegations but most of the parties skipped exercise in protest against the pre-conditions set by the EC.

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